

By: Clardy, Holland, Canales, Goldman,
Bell of Kaufman

H.B. No. 1545

Substitute the following for H.B. No. 1545:

By: Cain

C.S.H.B. No. 1545

A BILL TO BE ENTITLED

1 AN ACT
2 relating to the continuation and functions of the State Soil and
3 Water Conservation Board and the Texas Invasive Species
4 Coordinating Committee.

5 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

6 SECTION 1. Section [201.0142](#), Agriculture Code, is amended
7 by amending Subsection (b) and adding Subsection (d) to read as
8 follows:

9 (b) The training program must provide the person with
10 information regarding:

11 (1) the law governing [~~legislation that created the~~]
12 state board operations;

13 (2) the programs, functions, rules, and budget of
14 [~~operated by~~] the state board;

15 (3) the scope of and limitations on the rulemaking
16 authority [~~role and functions~~] of the state board;

17 (4) [~~the rules of the state board, with an emphasis on~~
18 ~~the rules that relate to disciplinary and investigatory authority,~~

19 [~~(5) the current budget for the state board,~~

20 [~~(6)~~] the results of the most recent formal audit of
21 the state board;

22 (5) [~~(7)~~] the requirements of:

23 (A) laws relating to [~~the~~] open meetings, [~~law,~~
24 ~~Chapter [551](#), Government Code,~~

1 ~~[(B) the]~~ public information, ~~[law, Chapter 552,~~
2 ~~Government Code,~~

3 ~~[(C) the]~~ administrative procedure, and
4 disclosing conflicts of interest [law, Chapter 2001, Government
5 Code]; and

6 (B) [(D)] other laws applicable to members of a
7 state policy-making body in performing their duties [relating to
8 public officials, including conflict-of-interest laws]; and

9 (6) [(8)] any applicable ethics policies adopted by
10 the state board or the Texas Ethics Commission.

11 (d) The executive director shall create a training manual
12 that includes the information required by Subsection (b). The
13 executive director shall distribute a copy of the training manual
14 annually to each member of the state board. Each member of the
15 state board shall sign and submit to the executive director a
16 statement acknowledging that the member received and has reviewed
17 the training manual.

18 SECTION 2. Section 201.019(i), Agriculture Code, is amended
19 to read as follows:

20 (i) The state board ~~[agency]~~ shall develop and implement
21 policies that ~~[which]~~ clearly separate the policy-making
22 ~~[respective]~~ responsibilities of the state board and the management
23 responsibilities of the executive director and the staff of the
24 state board.

25 SECTION 3. Sections 201.0231(a) and (c), Agriculture Code,
26 are amended to read as follows:

27 (a) The state board shall maintain a ~~[central database of~~

1 ~~complaints filed with state board offices and a~~ system to promptly
2 and efficiently act on complaints [~~a complaint~~] filed with the [~~a~~]
3 state board [~~office~~]. The state board shall maintain information
4 about parties to the complaint, the subject matter of the
5 complaint, a summary of the results of the review or investigation
6 of the complaint, and its disposition.

7 (c) The state board shall periodically notify the complaint
8 parties [~~to the complaint~~] of the status of the complaint until
9 final disposition unless the notice would jeopardize an
10 investigation.

11 SECTION 4. Subchapter B, Chapter 201, Agriculture Code, is
12 amended by adding Section 201.0226 to read as follows:

13 Sec. 201.0226. DAM STRUCTURAL REPAIR GRANT PROGRAM. (a)
14 The state board shall develop and implement a program to provide
15 grants for the structural repair and maintenance of flood control
16 dams.

17 (b) With input from stakeholders, the state board shall:

18 (1) establish goals, criteria, and metrics for the
19 grant program; and

20 (2) assess the need for funding the structural repair
21 and maintenance of flood control dams throughout this state,
22 including the number of projects a grant sponsor can complete each
23 year.

24 (c) In adopting rules or policies for the grant program, the
25 state board shall:

26 (1) ensure any local matching fund requirement adopted
27 by the state board accounts for the financial capacity of the grant

1 sponsor; and

2 (2) consider dams that are classified as high-hazard
3 by the Texas Commission on Environmental Quality.

4 (d) The state board shall ensure guidance documents for the
5 grant program, including the 10-year dam repair, rehabilitation,
6 and maintenance plan adopted under Section 201.0227, are consistent
7 with the goals, criteria, and metrics established under Subsection
8 (b).

9 SECTION 5. Section 201.0227, Agriculture Code, is amended
10 by adding Subsection (f) to read as follows:

11 (f) The state board shall consider the timelines for grant
12 applications for the dam structural repair grant program under
13 Section 201.0226 when preparing and adopting a plan under this
14 section.

15 SECTION 6. Section 201.025, Agriculture Code, is amended to
16 read as follows:

17 Sec. 201.025. SUNSET PROVISION. The State Soil and Water
18 Conservation Board is subject to Chapter 325, Government Code
19 (Texas Sunset Act). Unless continued in existence as provided by
20 that chapter, the state board is abolished [~~and this chapter~~
21 ~~expires~~] September 1, 2035 [~~2023~~].

22 SECTION 7. Section 776.004, Government Code, is amended by
23 amending Subsection (a) and adding Subsection (a-1) to read as
24 follows:

25 (a) The committee shall:

26 (1) [~~serve as a catalyst for cooperation between state~~
27 ~~agencies in the area of invasive species control,~~

1 ~~[(2) facilitate governmental efforts, including~~
2 ~~efforts of local governments and special districts, to prevent and~~
3 ~~manage invasive species;~~

4 ~~[(3) make recommendations to state agencies regarding~~
5 ~~research, technology transfer, and management actions related to~~
6 ~~invasive species control;~~

7 ~~[(4)]~~ facilitate the exchange of information so that
8 each member agency is informed of committee plans, recommendations,
9 and proposals for research, education, and implementation of
10 activities to:

11 (A) prevent, detect, assess, monitor, contain,
12 and control or eradicate invasive species; and

13 (B) reduce environmental and economic threats
14 and threats to human health from invasive species; and

15 (2) ~~[(5)]~~ provide a forum for developing coordinated
16 interagency strategies and policies for invasive species control~~+~~

17 ~~[(6) provide technical information and input to~~
18 ~~regional and national invasive species control coordination~~
19 ~~efforts, including the National Invasive Species Management Plan,~~

20 ~~[(7) facilitate the review of committee technical~~
21 ~~decisions and work product by specialists and interested persons,~~
22 ~~and~~

23 ~~[(8) report as needed to the governor, lieutenant~~
24 ~~governor, and speaker of the house of representatives on committee~~
25 ~~plans, work product, and accomplishments].~~

26 (a-1) The committee may:

27 (1) serve as a catalyst for cooperation between state

1 agencies in the area of invasive species control;

2 (2) facilitate governmental efforts, including
3 efforts of local governments and special districts, to prevent and
4 manage invasive species;

5 (3) make recommendations to state agencies regarding
6 research, technology transfer, and management actions related to
7 invasive species control;

8 (4) provide technical information and input to
9 regional and national invasive species control coordination
10 efforts, including the National Invasive Species Management Plan;

11 (5) facilitate the review of committee technical
12 decisions and work product by specialists and interested persons;
13 and

14 (6) report as needed to the governor, lieutenant
15 governor, and speaker of the house of representatives on committee
16 plans, work product, and accomplishments.

17 SECTION 8. Chapter 776, Government Code, is amended by
18 adding Section 776.0051 to read as follows:

19 Sec. 776.0051. MEETINGS. (a) The committee shall meet at
20 least annually at the call of the committee chair or the State Soil
21 and Water Conservation Board's representative on the committee.

22 (b) The State Soil and Water Conservation Board shall ensure
23 the committee meets at least annually.

24 SECTION 9. Section 776.007, Government Code, is amended by
25 amending Subsection (a) and adding Subsection (c) to read as
26 follows:

27 (a) The committee is subject to Chapter 325 (Texas Sunset

1 Act). [~~Unless continued in existence as provided by that chapter,~~
2 ~~the committee is abolished and this chapter expires September 1,~~
3 ~~2023.~~]

4 (c) The committee shall be reviewed during each period in
5 which the State Soil and Water Conservation Board is reviewed.

6 SECTION 10. Section 776.006(b), Government Code, is
7 repealed.

8 SECTION 11. (a) Except as provided by Subsection (b) of
9 this section, Section 201.0142, Agriculture Code, as amended by
10 this Act, applies to a member of the State Soil and Water
11 Conservation Board appointed before, on, or after the effective
12 date of this Act.

13 (b) A member of the State Soil and Water Conservation Board
14 who, before the effective date of this Act, completed the training
15 program required by Section 201.0142, Agriculture Code, as that law
16 existed before the effective date of this Act, is only required to
17 complete additional training on the subjects added by this Act to
18 the training program required by Section 201.0142, Agriculture
19 Code. A member described by this subsection may not vote,
20 deliberate, or be counted as a member in attendance at a meeting of
21 the State Soil and Water Conservation Board held on or after
22 December 1, 2023, until the member completes the additional
23 training.

24 SECTION 12. (a) For purposes of Section 201.025,
25 Agriculture Code, as amended by this Act, the Sunset Advisory
26 Commission shall conduct a limited-scope review of the State Soil
27 and Water Conservation Board for the 90th Legislature.

1 (b) In conducting the limited-scope review under this
2 section, the Sunset Advisory Commission staff evaluation and report
3 must be limited to reviewing the State Soil and Water Conservation
4 Board's dam structural repair grant program.

5 (c) The Sunset Advisory Commission's recommendations to the
6 90th Legislature may include any recommendation the commission
7 considers appropriate based on the limited-scope review conducted
8 under this section.

9 SECTION 13. This Act takes effect September 1, 2023.